

## REMARKS

### Summary of Office Action

Claims 1-21 are pending in the above-identified patent application.

Claim 15 was indicated to be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Claim 18 was rejected under 35 U.S.C. § 112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention" (Office Action, page 2, lines 10-12).

Claims 1-14 and 17-21 were rejected under 35 U.S.C. § 103(a) as being obvious from Pugliese, III et al. U.S. patent publication No. US 2001/0044751 (hereinafter "Pugliese"). Claim 16 was rejected under 35 U.S.C. § 103(a) as being obvious from Pugliese in view of Sowinski U.S. patent 6,601,033 (hereinafter "Sowinski").

### Summary of Applicants' Reply to Office Action

Applicants note with appreciation the indication of allowable subject matter in claim 15. Applicants expressly

reserve the right to rewrite claim 15 in independent form should the base claim ultimately not be allowed.

The specification has been amended to correct a minor and obvious typographical error.

This Reply is accompanied by a Supplemental Information Disclosure Statement.

The Examiner's claim rejections are respectfully traversed.

#### The Section 112 Rejection

The Examiner has rejected claim 18 under 35 U.S.C. § 112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention" (Office Action, page 2, lines 10-12). In particular, the Examiner contends that the term "late breaking" in claim 18 "is a relative term which renders the claim indefinite" (Office Action, page 2, line 13). Applicants respectfully disagree with the Examiner's contention, and submit that the term "late breaking" does not render claim 18 indefinite.

In particular, applicants submit that the term "late breaking" does not require "a standard for ascertaining the requisite time" (Office Action, page 2, lines 14 and 15), as

the Examiner sets forth. Rather, as provided in applicants' specification, for example, "[l]ate breaking news announcement 1502 may inform the user that there are one or more news announcements available for review" (§ [0126], lines 9-11). These news announcements may be viewed, for example, in news screen 1600 of applicants' FIG. 17: "[t]he user may access news screen 1600 at anytime during the simulation to view breaking news announcements, news announcements that the user has already reviewed, or both" (§ [0127], lines 20-23). Thus, as set forth in applicants' specification, a "late breaking news announcement" is an available news announcements that the user has not yet reviewed.

Accordingly, applicants respectfully submit that the term "late breaking" is not indefinite, and that the Examiner's rejection of claim 18 under 35 U.S.C. § 112, second paragraph, should be withdrawn.

#### The Section 103 Rejections

Claims 1-14 and 17-21 have been rejected under 35 U.S.C. § 103(a) as being obvious from Pugliese.\* Claim 16 has

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\* Applicants are unsure of any reference with which the Examiner is combining Pugliese in the rejection under section 103. It

been rejected under 35 U.S.C. § 103(a) as being obvious from Pugliese in view of Sowinski. The Examiner's rejections are respectfully traversed.

Applicants' claims are directed towards an electronic trading simulation that simulates the trading of carbon dioxide equivalent emission reductions. As set forth in applicants' specification:

[E]ntities such as countries, corporations, or non-profit organisations may desire to simulate their participation prior to entry to gain a deeper understanding of the market. Such entities may, for example, need to understand their emission profiles, assess their potential obligations and associated liabilities, and learn to trade CO<sub>2</sub>e emissions reductions.

(¶ [0004]) Thus, entities may participate in applicants' **simulated** trading environment prior to, for example, their entry into an **actual** trading environment. Pugliese, in contrast, discloses an online shopping environment meant to "[mimick] a live shopping experience" (page 1, ¶ [0008]), in which a user makes **actual** purchases from a vendor. Thus, Pugliese does not disclose a "**simulation**" as defined by applicants' claims, but rather an **actual** shopping environment.

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appears that the Examiner is contending that all elements of applicants' claims 1-14 and 17-21 are disclosed by Pugliese, which is an improper rejection under section 103.

For at least this reason, claims 1 and 21 are not obvious from Pugliese and are allowable. In addition, claims 2-14, and 16-20 are allowable at least because independent claim 1, from which claims 2-14 and 16-20 depend, is allowable. Accordingly, applicant respectfully requests that the rejection of claims 1-14 and 16-21 be withdrawn.

Conclusion

The foregoing demonstrates that claims 1-21 are patentable. This application is therefore in condition for allowance. Reconsideration and prompt allowance are accordingly respectfully requested.

Respectfully submitted,



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